

**VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN**  
(Official Minutes)

MONTHLY MEETING of the CDA BOARD OF DIRECTORS  
**Tuesday, October 27, 2009**

Chairman Turner called the monthly meeting of the CDA to order at 5:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**CDA Commissioners present:** Cindy Wilson, Jeff Fisk, Gail Hibbard, Bob Chanson, Bill Turner, Village President Pete Petersen

**CDA Commissioner late:** Skip Bliss (arrived at 6:01 pm)

**Also present:** Norman Barry, Paul Borg, Joe Eberle, John Hastings, Administrator/Treasurer Kelly Hayden, Kevin Kirkland, Jim Knulty, Village Clerk Dennis Martin, Joseph McHugh, Trustee Micki O'Connell, Rick Pappas, Ted Peters, Marty Rye, Michael Van Den Bosch, Jill Wegner, Director of Public Works Craig Workman

**Visitors Heard**

**Big Foot Country Club Van Slyke Creek Bank Stream Bank Stabilization Project Funding Request (Tabled 9/30/09) – Letter Received from Big Foot Country Club**

Big Foot Country Club submitted a letter to CDA Chairman Turner on October 16, 2009 that states in part that the club has elected to forego further assistance from Bonestroo Engineering, the firm that the club retained to provide a preliminary evaluation of the stream degradation and bank erosion and sediment problems on the country club's property. The letter states that the club would like to work with the CDA in achieving critical stormwater management and restoration of the degraded creeks.

**Announcements**

1. Lakefront and Harbor Committee Meeting – **Wednesday, October 28, 2009, 4:30 pm**
2. Village of Fontana Trick or Treat Hours – **Saturday, October 31, 2009, 3:00 to 7:00 pm**
3. CDA Lakefront Building Subcommittee Workshop Meeting – **Monday, November 2, 2009, 5:00 pm**
4. Village Board Monthly Meeting – **Monday, November 2, 2009, 6:00 pm**
5. Comprehensive Master Plan Update Public Hearing – **Monday, November 9, 2009, 5:00 pm**
6. Park Commission Seeding Event at Duck Pond Recreation Area – **Saturday, November 14, 2009, 10:00 am**
7. 2010 Budget Public Hearing – **Monday, November 16, 2009, 5:00 pm**
8. Library Board Meeting – **Wednesday, November 18, 2009, 10:00 am**
9. Plan Commission Staff Meeting – **Wednesday, November 18, 2009, 1:00 pm**
10. Park Commission Meeting – **Wednesday, November 18, 2009, 6:00 pm**
11. Village Hall Closed for Thanksgiving Holiday – **Thursday and Friday, November 26 & 27, 2009**
12. Plan Commission Monthly Meeting – **Monday, November 30, 2009, 5:30 pm**

**Approval of Minutes for September 30, 2009 Monthly Meeting**

President Petersen/Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the minutes for the meeting held September 30, 2009, and the MOTION carried without negative vote.

**Approval of Current Payables**

The monthly payables totaling \$16,192 were reviewed and recommended for approval.

Commissioner Chanson/Commissioner Fisk 2<sup>nd</sup> made a MOTION to approve the payables as presented, and the MOTION carried without negative vote.

**Finance Report – Administrator/Treasurer Hayden**

**Update/Review – Full Accounting Statement & TIF Revenue Increment Projections**

Hayden presented the updated spreadsheet, which included the addition of the annual appropriation from the Village for revenue raised from beach admission fees this past season. This year's appropriation totaled \$25,622.

### **Presentation**

#### **Pottawatomi and Van Slyke Creeks Watershed Description & Geomorphologic Assessment Report – Ruckert-Mielke and Marty Rye**

Ruckert-Mielke engineer Joe Eberle and Marty Rye presented a PowerPoint program on the Pottawatomi Creek and Van Slyke Creek Watershed Description & Geomorphologic Assessment Report. The report is the culmination of three months of preliminary data gathering and processing work and it recommends 19 initial projects for successful stream management. Rye stated that the projects will help improve the quality of the Class I trout streams, which are relatively unique to southeastern Wisconsin. Following the presentation, Rye stated that the next step in the project would be to schedule meetings with the Big Foot Country Club and Abbey property owners and staff, and representatives of the Department of Natural Resources and Trout Unlimited. Eberle stated that the proposed projects have to be reviewed and prioritized according to cost and timing. The Village of Fontana is commencing a stormwater management plan and some of the stormwater projects will overlap and/or need to be completed prior to the stream management projects. Eberle stated that it is important to continue to meet with the DNR for permitting and grant issues and with the property owners for riparian issues. Eberle stated that if the CDA approves the next phase of the project, a meeting will be scheduled for Wednesday, November 16, 2009 to commence work on prioritizing the 19 initial projects and integrating the related stormwater management projects. In response to a question, Eberle stated that there is not one big project that will address an overlying problem; the 19 projects will all combine to make a better natural resource. The next phase of the project will cost between \$5,000 and \$10,000. Tasks included in the next phase are to meet with Village staff and representatives of the DNR, Big Foot Country Club and the Abbey properties to review the Phase I Report Study; to prioritize the 19 projects in the Phase I Report Study; to prepare cost estimates for each of the 19 projects; to assist the Village in discussions with Big Foot Country Club regarding project cost-sharing agreement; and to present the results to the CDA at its monthly meeting in December. Turner stated that it is important that the CDA receives financial assistance and grant funds for the overall project from the property owners, the DNR and Trout Unlimited. Chanson stated that once the projects are prioritized and cost estimates are provided, the CDA will be able to make informed decisions on what projects on the list will provide “the best bang for our buck.” Commissioner Chanson/President Petersen 2<sup>nd</sup> made a MOTION to recommend Village Board approval for the next phase of the Pottawatomi and Van Slyke Creeks Stream Rehabilitation Project for a cost not to exceed \$10,000 as proposed by Ruckert-Mielke, and the MOTION carried without negative vote.

#### **TID #1 Projects – Public Works Director Workman**

##### **TIF Project Maintenance Activity Report**

The report was color coded to delineate the two ongoing projects, two projects that are scheduled to be completed this fall, and three projects that are scheduled to be complete in the spring. Workman stated that he needed direction on one of the items scheduled to be completed in the spring – seagull abatement at the beach house. Wilson stated that nylon string or fishing line could be strung on the roof to prevent seagulls from landing on the roof. Hibbard stated that as well as the seagull problem, geese are flocking at the beach and creating a mess. Petersen stated that a coyote decoy could be used at the beach to scare away the geese; however, the decoy has to be moved from day to day to remain effective. The CDA directed staff to obtain information on geese decoy devices and wiring options for the beach house roof. Following discussion, the CDA also directed staff to publicize the fact that dogs can be walked on the Village beach during the winter season. Staff will erect a sign at the dog walking track at the Duck Pond and place an announcement on the village website.

#### **Fontana/Walworth Joint Pedestrian Path Project Pay Request No. 3**

Workman stated that the project is progressing despite the recent rainy weather. Workman stated that the path is ready to be paved as soon as there are a few consecutive dry days. The Village engineer recommended approval of the \$80,579 Pay Request No. 3 as submitted by Mann Brothers. Commissioner Chanson/Commissioner Fisk 2<sup>nd</sup> made a MOTION to recommend Village Board

approval of the \$80,579 Pay Request No. 3 submitted by Mann Brothers, Inc. for the Fontana/Walworth Joint Pedestrian Path Project contract as recommended, and the MOTION carried without negative vote.

### **Fontana Boulevard Lighting and Landscaping Contract Pay Request**

Workman stated that the \$210,901 Pay Request No. 1 submitted by PTS Landscaping, Inc., for the Fontana Boulevard Lighting and Landscaping Project contract was reviewed by the village engineer and approval is recommended. Workman stated that the first phase of the project is completed, all the wires for the new lights have been pulled through the conduits, and some of the light poles were scheduled to be erected the next day.

Commissioner Chanson/Commissioner Fisk 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the \$210,901 Pay Request No. 1 submitted by PTS Landscaping, Inc., for the Fontana Boulevard Lighting and Landscaping Project contract as recommended, and the MOTION carried without negative vote.

### **Third Avenue Project Final Pay Request**

Workman stated that the contract closeout change order calling for a \$139,295 decrease in the total contract, and the final pay request No. 13 totaling \$2,499 were reviewed by the village engineer and approval is recommended. The Village still has not been billed for the Charter Communications utility line burial portion of the project; however, preliminary projections indicate the project will come in under budget.

President Petersen/Commissioner Chanson 2<sup>nd</sup> made a MOTION to recommend Village Board approval of Change Order No. 4 calling for a \$139,295 decrease, and Final Pay Request No. 13 totaling \$2,499 submitted by Mann Brothers, Inc. for the Third Avenue Project contract as recommended, and the MOTION carried without negative vote.

### **Kinzie Avenue Project Final Pay Request**

Workman stated the contract Change Order No. 3 calling for a \$50,140 decrease, and Final Pay Request No. 8 totaling \$2,500 submitted by Odling Construction for the Kinzie Avenue Project contract were reviewed by the village engineer and approval is recommended. Workman stated that the final contract cost for the Kinzie Avenue will come in about 20 percent under budget.

President Petersen/Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve Change Order No. 3 calling for a \$50,140 decrease, and Final Pay Request No. 8 totaling \$2,500 submitted by Odling Construction for the Kinzie Avenue Project contract as recommended, and the MOTION carried without negative vote.

### **General Construction Updates**

Workman stated that he had nothing further to report that has not been addressed.

### **General Business**

#### **Consider Bids Submitted for Shabbona Path Project**

Workman stated that the Village received eight bids for the project, and the low bid totaling \$100,535 was submitted by Willkomm Excavating & Grading. The next lowest bid totaling \$117,835 was submitted by DK Contractors, and Mann Brothers, Inc. submitted with third lowest bid totaling \$120,776. Workman stated that the bids include only the storm sewer portion of the project.

Workman stated that the Department of Public Works crew can complete some of the project work and a portion of the project to replace a current 12-inch pipe does not need to be completed, so the contract price can be reduced by \$13,000. Workman stated that the total cost of the stormwater portion of the project will be about \$131,000, including the design engineering work, and there is \$180,000 in the budget for the total project – which includes the development of a pedestrian path. Workman stated that about \$50,000 will be left in the project budget for the path development. In response to a question about Willkomm, Workman stated the firm did work for the Village in the past and there were some construction problems that had to be addressed. Workman stated that this project calls for an on-site inspector during the construction, so that should alleviate any potential problems Willkomm may create.

Commissioner Chanson/Commissioner Wilson 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the low bid submitted by Willkomm Excavating & Grading, and to authorize a contract

not to exceed \$87,468, and the MOTION carried without negative vote.

### **Lakefront Property Redevelopment Proposal Recommendation – Joint Workshop Meeting Monday, November 2, 2009**

Turner stated that the HGA architects will be at the November 2, 2009 meeting to present the preliminary plans for the lakefront building proposal. The meeting will be held from 5:00 to 6:00 pm, and the Village Board, Plan Commission, Park Commission, Lakefront and Harbor Committee, Finance Committee members have been invited to attend the workshop meeting.

### **Walworth County Economic Development Alliance Services – Update**

Michael Van Den Bosch presented the grant application and a required document titled: “Attorney’s Opinion Relative to Organization, Authority and Continuous Existence” that has to be filed with the executed application. Wilson stated that she was concerned that the public information for the marketing project includes a site map to avoid any confusion with the rest of the Duck Pond Recreation Area. Wilson stated that the CDA should be sure that the 7-acre site being marketed for a corporate business location is properly identified so the public does not think the CDA is looking to develop any other portion of the Duck Pond Recreation Area.

Chairman Turner/President Petersen 2<sup>nd</sup> made a MOTION to authorize Village Attorney Dale Thorpe to fill out and execute the Attorney’s Opinion Relative to Organization, Authority and Continuous Existence form required with the grant application, and the MOTION carried without negative vote.

### **Abbey Driveway Project Construction Updated Cost Estimate**

Workman stated that he obtained two more proposals from Sheldon Landscape and from PTS Landscaping, Inc. to complete the crosswalk project on Highway 67 at the Abbey Resort property back driveway. The Sheldon bid is for \$2,150 and the PTS Landscaping bid is for \$4,500. The CDA previously approved a motion to spend an amount not to exceed \$1,500 for the project. Turner stated that for the \$650 additional funds the CDA can complete the project and resolve the issue. President Petersen/Commissioner Fisk 2<sup>nd</sup> made a MOTION to recommend that the Village Board authorize spending an amount not to exceed \$2,150 for Sheldon Landscape to complete the crosswalk paving project on Highway 67 at the Abbey Resort property back driveway. The MOTION carried without negative vote.

### **Reid Park Gazebo Situation – Update**

Workman stated that the Reid Park gazebo has been razed and the Park Commission directed him to obtain some proposal to have the structure reconstructed. Workman stated that Andy Pearce submitted a proposal to construct a vinyl-wrapped treated wood product. Workman stated that the prefabricated structure comes with engineered stamped plans and the wooden pieces are made out of treated lumber that is then hot-dipped in vinyl. Following discussion, Workman stated that he will obtain other proposals and designs for the new gazebo. Hayden stated that donations are being pursued to offset the total cost of the project. Wilson stated that the architecture of the new gazebo should match the proposed new lakefront building. Turner stated that the Village staff should continue to research different gazebo options, continue the planning the process and present the preliminary gazebo plans to the architects working on the lakefront building proposal.

### **Business Plan Proposal for Non-Motorized Summer Equipment Rentals at Lakefront Building – Update**

Fisk stated that he and Hayden met with Kevin Kirkland last week and they need more funding information prior to scheduling another meeting. Turner stated that he, Hayden and Workman recently discussed with Attorney Hank Gempler the proposed lakefront building plan regarding the use of TIF funds, and the issue of small business loans. Turner stated that it is Gempler’s opinion that the CDA may use TIF funds to issue small business loans to encourage economic growth within the TID as long as a program with guidelines is established. Fisk stated that the business loan information is the issue they needed resolved prior to drafting the business plan. Turner stated that he thinks the kayaking and rowing equipment rental and club operations will be successful. Kevin Kirkland stated that the non-motorized sports are becoming very popular, and the greatest need for participants is for storage near the lake. Kirkland stated that the room he currently uses as a

showroom in the lakefront building can accommodate up to 70 kayaks.

### **Small Business Loan Guidelines**

Turner stated that staff will use the existing CDA programs to draft the guidelines.

### **Report on Pay Stations and Possible Purchase**

Hayden stated that she received a proposal from Total Parking Solutions, Inc., the company that the Village leased the pay station from last summer, for the purchase and maintenance of parking pay stations. Hayden stated that the trial period worked very well; however, there a few items that need to be tweaked. Hayden stated that the CDA members should review the proposal and the item will be revisited next month. Turner stated that the plan is to use any remaining budget funds from the Third Avenue Project to fund the purchase of the parking pay stations. Turner stated that staff should obtain some comparison quotes to make sure TPS is offering a competitive price.

### **Village Board Report – Chairman Turner**

Turner stated that he had nothing further to report that has not been addressed.

### **Lakefront & Harbor Report – Commissioner Chanson**

Chanson stated that he had nothing further to report that has not been addressed.

### **Park Commission Report – Commissioner Hibbard**

#### **Cost Estimate for Small Black Cyclone Fence Along Lake Street Alley/Little Foot Playground**

Workman stated that he received a \$3,000 proposal from Lemke Fence of Jefferson to furnish and install 160-linear-foot of 4-foot-high black, powder coated chain link fence along the alley adjacent to Little Foot Playground. Workman stated that the fence color will match the wrought iron fencing that was installed in the Third Avenue Project. Workman stated that the arborvitae bushes planted along the alley will eventually grow to encompass the fence.

Commissioner Hibbard/Commissioner Fisk 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the proposal submitted by Lemke Fence of Jefferson, and the MOTION carried without negative vote.

### **Confirm Quorum & Dates for upcoming Meetings**

#### **Next Meeting – Lakefront Building Proposal Architecture Presentation Monday, November 2, 2009, 5:00 pm**

Turner stated that the next meeting is a workshop meeting scheduled for Monday, November 2, 2009 from 5:00 to 6:00 pm. Turner stated that the other Village committee and commission members have been invited to attend the meeting for the initial presentation of the proposed lakefront building plan. Turner encouraged all the CDA members to attend the meeting. Turner stated that he would like to reschedule the CDA monthly meeting for December for Wednesday, December 9, 2009 beginning at 6:00 pm.

### **Agenda Item Requests**

None

### **Pending/Future Items**

1. 286 Valley View Drive – Façade Improvement Discussion (Canopy Renovation)

### **Adjournment**

Commissioner Chanson/Commissioner Fisk 2<sup>nd</sup> made a MOTION to adjourn the CDA meeting at 7:10 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the CDA, the official minutes will be kept on file at the Village Hall.

APPROVED: 12/7/09